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TITLE 3—THE PRESIDENT

REORGANIZATION PLAN NO. 1 OF 1953

Prepared by the President and Transmitted to the Senate and the House of Representatives in Congress Assembled, March 12, 1953, Pursuant to the Provisions of the Reorganization Act of 1949, Approved June 20, 1949, as Amended¹

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SECTION 1. Creation of Department; Secretary. There is hereby established an executive department, which shall be known as the Department of Health, Education, and Welfare (hereafter in this reorganization plan referred to as the Department). There shall be at the head of the Department a Secretary of Health, Education, and Welfare (hereafter in this reorganization plan referred to as the Secretary), who shall be appointed by the President by and with the advice and consent of the Senate, and who shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments. The Department shall be administered under the supervision and direction of the Secretary.

SEC. 2. Under Secretary and Assistant Secretaries. There shall be in the Department an Under Secretary of Health, Education, and Welfare and two Assistant Secretaries of Health, Education, and Welfare, each of whom shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Secretary may prescribe, and shall receive compensation at the rate now or hereafter provided by law for under secretaries and assistant secretaries, respectively, of executive departments. The Under Secretary (or, during the absence or disability of the Under Secretary or in the event of a vacancy in the office

of Under Secretary, an Assistant Secretary determined according to such order as the Secretary shall prescribe) shall act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

SEC. 3. Special Assistant. There shall be in the Department a Special Assistant to the Secretary (Health and Medical Affairs) who shall be appointed by the President by and with the advice and consent of the Senate from among persons who are recognized leaders in the medical field with wide non-governmental experience, shall review the health and medical programs of the Department and advise the Secretary with respect to the improvement of such programs and with respect to necessary legislation in the health and medical fields, and shall receive compensation at the rate now or hereafter provided by law for assistant secretaries of executive departments.

SEC. 4. Commissioner of Social Security. There shall be in the Department a Commissioner of Social Security who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions concerning social security and public welfare as the Secretary may prescribe, and shall receive compensation at the rate now or hereafter fixed by law for Grade GS-18 of the general schedule established by the Classification Act of 1949, as amended.

SEC. 5. Transfers to the Department. All functions of the Federal Security Administrator are hereby transferred to the Secretary. All agencies of the Federal Security Agency, together with their respective functions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), and all other functions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) of the Federal Security Agency are hereby transferred to the Department.

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¹ Effective April 11, 1953, under the provisions of the Joint Resolution approved April 1, 1953 (Pub. Law 13, 83d Cong.; 67 Stat. 18); published pursuant to section 11 of the Reorganization Act of 1949 (63 Stat. 206; 5 U. S. C. Sup., 1332-9).



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CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 7: Parts 1-209 (\$1.75)
Title 39 (\$1.00)

Previously announced: Title 3 (\$1.75); Titles 4-5 (\$0.55); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 17 (\$0.35); Title 18 (\$0.35); Title 20 (\$0.60); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 170 to 182 (\$0.65), Parts 183 to 299 (\$1.75); Titles 28-29 (\$1.00); Titles 30-31 (\$0.65); Titles 40-42 (\$0.45); Title 49: Parts 1 to 70 (\$0.50), Parts 71 to 90 (\$0.45), Parts 91 to 164 (\$0.40)

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time to time make such provisions as the Secretary deems appropriate authorizing the performance of any of the functions of the Secretary by any other officer, or by any agency or employee, of the Department.

Sec. 7. Administrative Services. In the interest of economy and efficiency the Secretary may from time to time establish central administrative services in the fields of procurement, budgeting, accounting, personnel, library, legal, and other services and activities common to the several agencies of the Department; and the Secretary may effect such transfers within the Department of the personnel employed, the property and records used or held, and the funds available for use in connection with such administrative service activities as the Secretary may deem necessary for the conduct of any services so established: *Provided*, That no professional or substantive function vested by law in any officer shall be removed from the jurisdiction of such officer under this section.

Sec. 8. Abolitions. The Federal Security Agency (exclusive of the agencies thereof transferred by section 5 of this reorganization plan), the offices of Federal Security Administrator and Assistant Federal Security Administrator created by Reorganization Plan No. 1 (53 Stat. 1423), the two offices of assistant heads of the Federal Security Agency created by Reorganization Plan No. 2 of 1946 (60 Stat. 1095), and the office of Commissioner for Social Security created by section 701 of the Social Security Act, as amended (64 Stat. 558), are hereby abolished. The Secretary shall make such provisions as may be necessary in order to wind up any outstanding affairs of the Agency and offices abolished by this section which are not otherwise provided for in this reorganization plan.

Sec. 9. Interim provisions. The President may authorize the persons who immediately prior to the time this reorganization plan takes effect occupy the offices of Federal Security Administrator, Assistant Federal Security Administrator, assistant heads of the Federal Security Agency, and Commissioner for Social Security to act as Secretary, Under Secretary, and Assistant Secretaries of Health, Education, and Welfare and as Commissioner of Social Security, respectively, until those offices are filled by appointment in the manner provided by sections 1, 2, and 4 of this reorganization plan, but not for a period of more than 60 days. While so acting, such persons shall receive compensation at the rates provided by this reorganization plan for the offices the functions of which they perform.

[F. R. Doc. 53-3174; Filed, Apr. 10, 1953; 8:49 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 479, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.586 (Lemon Regulation 479, 18 F. R. 1884) are hereby amended to read as follows:

(ii) District 2, 325 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 9th day of April 1953.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-3189; Filed, Apr. 10, 1953;
8:54 a. m.]

[Lemon Reg. 480]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.587 *Lemon Regulation 480—*
(a) **Findings.** (1) Pursuant to the

marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on April 8, 1953; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) **Order.** (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., April 12, 1953, and ending at 12:01 a. m., P. s. t., April 19, 1953, is hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 350 carloads;
- (iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 479 (18 F. R. 1884) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 9th day of April 1953.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-3190; Filed, Apr. 10, 1953;
8:54 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 6004; Regs. 111, 130]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

DEFINITION OF TERM "MINING" AND COMPUTATION OF GROSS INCOME FROM MINING

Correction

In F. R. Doc. 53-3017, appearing on page 1938 of the issue for Wednesday, April 8, 1953, the following changes should be made:

1. In the ninth line of the paragraph following paragraph (D) in the second column of page 1938, the word "or" preceding the word "ores" should read "of".

2. In the eighth line of paragraph (a) of Sec. 207 appearing under Par. 2, the word "group" should read "ground".

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-16, as Amended April 10, 1953]

M-16—DISTRIBUTION OF COPPER RAW MATERIALS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given

to their recommendations. However, consultation with representatives of all trades and industries has been rendered impracticable because the order affects a large number of different trades and industries.

EXPLANATORY

NPA Order M-16, as last amended March 20, 1953, is hereby revised so as to eliminate quantitative allocation of refined copper.

REGULATORY PROVISIONS

Sec.

1. What this order does.
2. Definitions.
3. Acceptance of delivery of copper raw materials.
4. Restrictions on disposal of scrap.
5. Restrictions on inventory accumulations.
6. Restrictions on toll agreements.
7. Authorizations and directives.
8. Applications for adjustment or exception.
9. Records and reports.
10. Communications.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. What this order does. The purpose of this order is to regulate the acceptance, delivery, and distribution of all copper raw materials (whether on toll agreements or otherwise) so as to provide an equitable distribution of such materials. It sets forth the classes of persons who may receive such materials without specific authorization from the National Production Authority and the types of copper raw materials such persons may so receive, and provides for application by all other persons to the National Production Authority for specific written authorization. It also limits toll agreements covering scrap and prohibits undue accumulation of scrap.

SEC. 2. Definitions. As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Copper" means unalloyed copper, including electrolytic copper, fire-refined copper, and all unalloyed copper in any form.

(c) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal equals or exceeds 40 percent by weight of the metallic content of the alloy. It includes fired and demilitarized cartridge and artillery cases, and all copper-base alloy in any form. It does not include alloyed gold produced in accordance with U. S. Commercial Standard CS 67-38.

(d) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or byproduct of industrial fabrication, or which have been discarded on account of obsolescence, failure, or other reason.

(e) "Copper wire mill product" means uninsulated or insulated wire and cable,

whatever the outer protective coverings may be, made from copper or copper-base alloy, and also copper-clad steel wire containing over 20 percent copper by weight, regardless of end use. All copper wire mill products should be measured in terms of pounds of copper content.

(f) "Brass mill products" means copper and copper-base alloys in the following forms: sheet, plate, and strip, in flat lengths or coils; rod, bar, shapes, and wire (except copper wire mill products); anodes, rolled, forged, or sheared from cathodes; and seamless tube and pipe. Straightening, threading, chamfering, and cutting to width and length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.
Discs (except brass military ammunition discs).
Cups (except brass military ammunition cups).
Blanks and segments.
Forgings (except anodes).
Welding rod, 3 feet or less in length.
Rotating bands.
Tube and nipples—welded, brazed, or mechanically seamed.
Formed flashings.
Engravers' copper.

Allotments for the purpose of producing such related products shall be in terms of the estimated weight of the brass mill product from which such related product is made.

(g) "Foundry product" means cast copper or copper-base alloy shapes and forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, or dipping, but does not include any further machining or processing. For centrifugal castings the process includes the removal of the rough cut in the inner or outer diameter, or both, before delivery to a customer. Castings include anodes cast in a foundry or by an ingot maker).

(h) "Powder mill products" means copper or copper-base alloy in the form of granular or flake powder.

(i) "Copper raw materials" as used in this order includes the following materials as defined below:

(1) "Refined copper"—Copper metal which has been refined by any process of electrolysis or fire-refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, or other refined shapes. This does not include copper-base alloy ingot, brass mill castings, intermediate shapes, anodes, powder mill products, copper wire mill products, brass mill products, or foundry copper or copper-base alloy products.

(2) "Blister copper"—High-grade crude copper in any form produced from converter operations and from which nearly all the oxidizable impurities have been removed by slagging and volatilization.

(3) "Brass mill scrap"—Uncontaminated scrap which is the waste or byproduct of the production or industry fabrication of brass mill products or copper wire mill products. It includes uncontaminated fired and demilitarized cartridge and artillery cases.

(4) "Other copper-base alloy scrap"—Alloyed copper scrap other than brass mill scrap. It includes contaminated fired and demilitarized cartridge and artillery cases.

(5) "Other unalloyed copper scrap"—Unalloyed copper scrap other than brass mill scrap.

(6) "Fired and demilitarized cartridge and artillery cases"—Fired and demilitarized cartridge and artillery cases which have been manufactured from brass mill products and are not contaminated.

(7) "Brass mill casting"—A copper-base alloy casting, from which brass mill or intermediate shapes may be rolled, drawn, or extruded, without remelting.

(8) "Copper-base alloy ingot"—A copper-base alloy used in remelting, alloying, or deoxidizing operations.

(9) "Copper or copper-base alloy shot and waffle"—Shot or waffle produced from copper or copper-base alloy, and to be used in remelting, alloying, deoxidizing, or chemical operations.

(10) "Intermediate shape"—Any product which has been rolled, drawn, or extruded from refined copper, brass mill castings, or intermediate shapes, and which will be rerolled, redrawn, insulated, or further processed into other intermediate shapes or finished brass mill or copper wire mill products by other producers of intermediate shapes or copper or copper-base alloy controlled materials.

(11) "Copper precipitates (or cement copper)"—Copper metal precipitated from mine water by contact with iron scrap, tin cans, or iron in other forms.

(j) "Receive" or "accept delivery" means the acquisition of title to copper raw materials or the charging of such materials to a person's account (in accordance with that person's standard accounting practice), whichever first occurs; or, in the instance of transfer of materials between departments, plants, or mills of one company, the actual physical acquisition of copper raw materials by such department, plant, or mill, or the charging of such materials to its account (according to the company's standard accounting practice), whichever first occurs.

(k) "NPA" means the National Production Authority.

SEC. 3. Acceptance of delivery of copper raw materials. (a) No person, other than a railroad which receives copper raw materials by virtue of conversion from railroad engine bearings and car journal bearings in accordance with the last sentence of section 6 (b) of this order, and other than the users specified in paragraph (d) of this section, may accept delivery of any copper raw materials even if such materials were processed for him pursuant to a toll, conversion, or other similar agreement in accordance with section 6 of this order unless the

receipt of such copper raw materials has been specifically authorized in writing by NPA: *Provided, however*, That insofar as any person performs the functions included in the definitions listed in items (1) through (9) under column (A) of the table which appears at the end of this section, he may accept delivery, without limitations, of the types of copper raw materials listed under the numbered item in column (B) of that table corresponding to the definition applicable to him.

(b) Any person listed in column (A) in the table at the end of this section who desires to apply for written authorization to accept delivery of any type of copper raw materials other than those which he is authorized to receive as indicated in the corresponding item listed in column (B) shall complete and file Form NPAF-83 in accordance with the instructions under the corresponding item listed in column (C) in the table.

(c) An authorization to accept delivery of copper raw materials may specify quantities which may be accepted, and may also specify the period during which the person to whom such an authorization has been issued may receive copper raw materials.

(d) Notwithstanding the provisions of paragraph (a) of this section, a person may, during each calendar quarter, receive copper raw materials without specific authorization of NPA: *Provided*, That his total receipts of all copper raw materials from all sources during that calendar quarter are either not in excess of 300 pounds copper content, or if in excess of 300 pounds, then not in excess of his average quarterly receipts of copper raw materials during the period July 1, 1951, to June 30, 1952, or 1,500 pounds copper content, whichever is less.

(e) Any person who receives written authorization from NPA to accept delivery of copper raw materials, or who is authorized under the provisions of this order to accept delivery without written authorization, shall furnish to his supplier a signed certification in substantially the following form:

The undersigned certifies, subject to statutory penalties, that acceptance of delivery of the copper raw materials herein ordered is permitted pursuant to NPA Order M-16.

This certification constitutes a representation by the purchaser to the seller, and to NPA, that delivery of the copper raw materials may be accepted by the purchaser pursuant to the provisions of this order.

(f) Except with the written permission of NPA, (1) no refiner, scrap dealer, jobber dealer, ingot maker, or other person dealing in copper raw materials, may deliver any copper raw materials to a refiner, scrap dealer, jobber dealer, brass mill, copper wire mill, foundry, ingot maker, or miscellaneous producer except the type of copper raw materials that such persons are permitted to receive without authorization pursuant to paragraph (a) of this section; and (2) no person shall deliver copper raw materials to any person other than a refiner, scrap dealer, jobber dealer, brass mill, copper wire mill, foundry, ingot maker,

or miscellaneous producer without first having received from such person the certification set forth in paragraph (e) of this section.

(g) The provisions of this section apply not only to acceptance of delivery by a person from other persons, including affiliates and subsidiaries, but also to ac-

ceptance of delivery by a branch, division, or section of a single enterprise which produces copper raw materials or copper controlled materials from a branch, division, or section of the same or any other enterprise under common ownership or control which does not produce copper controlled materials.

(A)	(B)	(C)
(1) Refiner—Any person who produces refined copper. This includes any person who converts copper-clad or copper-base, or copper-base alloy-clad steel scrap into refined copper.	(1) Blister copper, copper concentrates, other unalloyed copper scrap, and other copper-base alloy scrap for use in the production of refined copper, and refined copper for resale without change in form.	(1) For materials other than those listed in column (B), item (1), apply on Form NPAF-83 before the tenth day of the month preceding the month for which authorization is sought.
(2) Scrap dealer—Any person regularly engaged in the business of buying and selling scrap, but who does not melt such scrap.	(2) Other unalloyed copper scrap; other copper-base alloy scrap; brass mill scrap; contaminated fired and demilitarized cartridge and artillery cases.	(2) See section 3 (b).
(3) Jobber dealer—Any person who receives refined copper, copper-base alloy ingot, or copper or copper-base alloy shot or waffle, and sells or holds the same for sale without change in form.	(3) Refined copper, copper-base alloy ingot, copper or copper-base alloy shot or waffle.	(3) For materials other than those listed in column (B), item (3), apply on Form NPAF-83 before the tenth day of the month preceding the month for which authorization is sought.
(4) Exporter—Any person who exports copper raw materials.	(4) Refined copper, blister copper, copper-base alloy ingot, brass mill scrap, other copper-base alloy scrap, and other unalloyed copper scrap.	(4) For materials other than those listed in item (4) of column (B), apply on Form NPAF-83, furnishing export license number before the tenth day of the month preceding the month for which authorization is sought.
(5) Brass mill—Any person who produces brass mill products, brass mill castings, or intermediate shapes.	(5) Refined copper, intermediate shapes, brass mill scrap, other unalloyed copper scrap, copper-base alloy ingot, copper and copper-base alloy shot and waffle, brass mill castings.	(5) For materials other than those listed in column (B), item (5), apply on Form NPAF-83 before the tenth day of the month preceding the month for which authorization is sought.
(6) Copper wire mill—Any person who produces copper wire mill products or intermediate shapes.	(6) Refined copper, intermediate shapes.	(6) For materials other than those listed in column (B) item (6), apply on Form NPAF-83 before the tenth day of the month preceding the month for which authorization is sought.
(7) Brass and bronze foundry—Any person who produces foundry copper or copper-base alloy products.	(7) Refined copper, other unalloyed copper scrap, copper-base alloy ingot, copper or copper-base alloy shot or waffle, other copper-base alloy scrap.	(7) Foundries requiring copper raw materials other than those listed in column (B), item 7, apply on Form NPAF-83 for an authorization by the tenth day of the month preceding the calendar month for which authorization is sought.
(8) Ingot maker—Any person who produces copper-base alloy ingot for delivery as such.	(8) Refined copper, other unalloyed copper scrap, other copper-base alloy scrap, copper or copper-base alloy shot or waffle.	(8) For materials other than those listed in column (B), item 8, apply on Form NPAF-83 for an authorization by the tenth day of the month preceding the calendar month for which authorization is sought.
(9) Miscellaneous producer—Any person, not falling in one of the classes described above, who requires copper raw materials in his regular production operation. Examples: Chemical plants, iron foundries, aluminum foundries, electrolyzers, producers of copper and copper-base alloy powder.	(9) Refined copper, blister copper, other unalloyed copper scrap, copper-base alloy ingot, copper or copper base alloy shot or waffle, other copper-base alloy scrap, copper precipitates and scale generated by wire mills in the production of copper wire.	(9) For materials other than those listed in column (B), item 9, apply on Form NPAF-83 for an authorization by the tenth day of the month preceding the calendar month for which authorization is sought.
(10) Scrap generator—Any person, other than a scrap dealer, who in his normal operations generates or accumulates scrap or copper-clad or copper-base alloy-clad steel scrap, but who is not in the business of producing copper raw materials, copper wire mill products, brass mill products, powder mill products, or foundry copper or copper-base alloy products.	(10) None.	(10) See section 3 (b).
(11) Agent—Any person who is engaged by a buyer or seller of copper raw materials to locate supplies or customers, and who works for his principal for a salary, commission, or fee.	(11) None.	(11) See section 3 (b).
(12) Broker—Any person not the agent of any one party who arranges a sale of copper raw materials and assists in negotiating contracts of sale between buyers and sellers of such material for a commission or fee.	(12) None.	(12) See section 3 (b).
(13) All other persons.	(13) None.	(13) See Section 3 (b).

SEC. 4. Restrictions on disposal of scrap. (a) No person other than establishments of the United States Army, Navy, or Air Force, such as arsenals, navy yards, gun factories, and depots, or a person who is in the business of producing copper raw materials or copper controlled materials, or a person who qualifies as a "Miscellaneous producer" as listed in column A under section 3 of this order, shall melt or process any scrap or copper-base alloy-clad steel scrap generated in his plant through fabrication, or accumulated in his operations through obsolescence, except as specifically authorized in writing by NPA, nor shall he dispose of such materials in any way other than by delivery to a person authorized by this order to accept delivery.

(b) Nothing contained in this order shall prohibit any public utility from using "as is," in its own operation, copper wire or cable which has become scrap by obsolescence.

(c) Each person who in the process of manufacturing any product or material generates 5,000 pounds or more copper-base alloy scrap per month shall segregate from all such scrap any copper-base alloy scrap which contains 4 percent or more of nickel by weight. Copper-base alloy scrap which has been thus segregated shall be transferred or sold only in segregated form.

(d) Any scrap dealer who receives copper-base alloy scrap which contains 4 percent or more of nickel by weight and which has been segregated shall maintain such scrap as segregated scrap, and shall sell or transfer that scrap only in segregated form.

SEC. 5. Restrictions on inventory accumulations. (a) Unless specifically authorized by NPA, no person who generates scrap in his operations through fabrication, manufacture, or obsolescence shall keep on hand more than 30 days' accumulation of scrap or copper-clad or copper-base alloy-clad steel scrap unless such accumulation aggregates less than 2,000 pounds.

(b) No scrap dealer may accept delivery of any kind, grade, or type of scrap if his total inventory of scrap (including inventory not physically located in the dealer's yard or plant) is, or by such receipt would become, in excess of the weight of his total deliveries of scrap during the preceding 60-day period.

(c) The provisions of paragraph (a) of this section shall not apply to the establishments of the United States Army, Navy, or Air Force, such as arsenals, navy yards, gun factories, and depots.

SEC. 6. Restrictions on toll agreements. (a) Commencing on December 18, 1950, and unless the person delivering or owning the scrap, or the person for whose benefit the conversion, remelting, or other processing of the scrap will be effected, has received the approval of NPA, no person shall deliver scrap, and no person shall accept such scrap, for converting, remelting, or other processing into electrolytic or fire-refined copper under any existing or future toll agreement, conversion agreement, or other arrangement by which title to the

scrap remains vested in the person delivering or owning the scrap, or pursuant to which unalloyed copper in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the scrap. The provisions of this paragraph will apply with equal effect to any agency relationship which would result in a toll arrangement as described in this paragraph.

(b) Commencing on July 15, 1951, and unless the person delivering or owning the refined copper or scrap, or the person for whose benefit the conversion, remelting, or other processing of the refined copper or scrap will be effected, has received the written approval of NPA, no person shall deliver refined copper or scrap, and no person shall accept same, for converting, remelting, or other processing into copper wire mill products, brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products under any existing or future toll agreement, conversion agreement, or other arrangement by which title to the refined copper or scrap remains vested in the person delivering or owning the refined copper or scrap, or pursuant to which copper wire mill products, brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the refined copper or scrap. The provisions of this paragraph will apply with equal effect to any agency relationship which would result in a toll arrangement hereinabove described. Nothing contained in this paragraph shall prohibit railroads from converting, or having converted for them, railroad engine castings and car journal bearings for their own use.

(c) Persons requesting such approval shall file with NPA a letter setting forth the names and addresses of the parties to any existing or proposed toll or conversion agreement; the kind, grade, and form of the refined copper or scrap involved; the tonnage of the refined copper or scrap and the estimated tonnage of the electrolytic or fire-refined copper, copper wire mill products, brass mill products, foundry products, copper-base alloy ingot, or other miscellaneous products resulting; the estimated rate and dates of delivery of such copper or copper products; the length of time such agreement or other similar agreement between the same parties has been in force; the duration of the agreement; the purpose for which such copper or copper products are to be used; and such other information as the applicant may wish to submit.

SEC. 7. Authorizations and directives. NPA may issue authorizations or directives from time to time with respect to the delivery, disposal, and conversion of copper raw materials. Such authorizations and directives shall be complied with by the recipients thereof.

SEC. 8. Applications for adjustment or exception. Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that any provision works an undue or exceptional hardship upon him not suffered generally by others in the

same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Any person who uses or processes copper or copper-base alloy in his operations and who falls within the general classification set forth in column A of the table at the end of this paragraph shall complete and return the Bureau of Mines form identified in the corresponding section of column B of the table to the address specified on the form, in the number of copies specified on the form, on or before the twentieth day of July 1951 with respect to such use or processing during June 1951, and on or before the fifteenth day of each succeeding month with respect to such use or processing during the preceding month except that the form indicated under item 5 in the table at the end of this paragraph shall be filed on or before February 28, 1952, with respect to operations during the year 1951.

(A)	(B)
(1) Brass ingot makers and miscellaneous remelters.....	6-1115-M.
(2) Brass mills and copper wire mills.....	6-1115-MS.
(3) Primary smelters.....	6-1045-M.
(4) Primary refiners.....	6-1046-M.
(5) Brass mills, ¹ copper wire mills, ¹ miscellaneous users, and foundries.....	6-1115-AS.

¹ Except those required to file Form 6-1115-MS.

(d) Commencing December 17, 1951, any person other than a refiner, custom smelter, scrap dealer, or scrap generator,

who deals in refined copper or who owns, melts, or otherwise uses in his operations, electrolytic or fire-refined copper, unalloyed copper in any form (including scrap), copper-base raw materials in any form (including ingot and scrap), or intermediate brass or copper wire mill shapes, shall complete and return Form NPAF-83 to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-16. Such reports shall be filed in accordance with the reporting procedure specified on the form. The provisions of this paragraph do not apply to any person who owns less than 500 pounds of the forms of copper enumerated in this paragraph, or who melts or otherwise uses less than 500 pounds of such forms of copper per month.

(e) Commencing December 17, 1951, any person who produces copper or copper-base alloy controlled materials (brass mill products, copper wire mill products, foundry products, or copper powder mill products as defined in section 2 of this order), shall complete and return Form NPAF-84 to the Bureau of the Census, Department of Commerce, Washington 25, D. C., Ref: NPA Order M-16. Such report shall be filed in accordance with the reporting procedure specified on the form.

(f) Any scrap dealer whose aggregate end-of-month inventory or aggregate monthly purchases or aggregate monthly sales of scrap averaged 60,000 pounds or more (metal weight) during the first 6 months of 1952, shall complete and return Form NPAF-125 not later than April 10, 1953, with regard to his operations during March 1953, and not later than the tenth day of each month thereafter with regard to his operations during each preceding month. All such forms shall be addressed to the Base Metals Branch, Bureau of Mines, Washington 25, D. C.

(g) Persons subject to this order shall make such other records and submit such other reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C., 139-139F).

SEC. 10. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-16.

SEC. 11. Violations. Any person who willfully violates any provision of this order, or any other order or regulation of NPA, or who willfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials, or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order as amended shall take effect April 10, 1953.

NATIONAL PRODUCTION AUTHORITY,

By **GEORGE W. AUXIER**,
Executive Secretary.

[F. R. Doc. 53-3210; Filed, Apr. 10, 1953;
11:54 a. m.]

Chapter XII—Defense Minerals Exploration Administration, Department of the Interior

[DMEA Order-1, Amdt. 1]

GOVERNMENT AID IN DEFENSE EXPLORATION PROJECTS

MISCELLANEOUS AMENDMENTS

DMEA Order-1 is amended as follows:
In section 3, in the box listing regional offices and addresses, the P. O. box number of the Alaska office is changed to 560.

In section 8, the first period is changed to a semicolon, and the following proviso is added immediately thereafter: "Provided, That the Administrator may waive any deficiencies in the Operator's interest in the land when he finds such action to be in the best interest of the Government."

In subsection (a) of section 10, immediately preceding the word "including" in the third sentence, the following parenthetical clause is added: "(unless the contract provides a different period)."

In subsection (a) of section 10, immediately following the words "ten years" where they appear the second time in the third sentence, the following parenthetical clause is added: "(or other period fixed by the contract)."

Subsection (d) of section 10 is redesignated subsection (e), and a new subsection (d) is added, as follows:

(d) The Administrator may, in special cases, fix the term of the Government's percentage royalty and lien at more or less than ten years, when he finds such action to be in the best interest of the Government.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

C. O. MITTENDORF,
Administrator, Defense Minerals
Exploration Administration.

[F. R. Doc. 53-3205; Filed, Apr. 10, 1953;
10:55 a. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 1, as amended]

DFO 1—CASTOR OIL

PARTIAL SUSPENSION

It is hereby found and determined that the provisions of section 2 and paragraphs (a), (b), and (c) of section 4 of Defense Food Order 1, as amended (17 F. R. 401), with respect to restric-

tions on inventory and use of castor oil, and the submission of certificates applicable to receipts of castor oil, are no longer necessary to promote the national defense; and this suspension order is, therefore, hereby made effective. During the administration of Defense Food Order 1, there were frequent consultations with industry representatives relative to operations thereunder. To the extent practicable in the formulation of this order, there has been informal consultation with industry representatives, and consideration has been given to their recommendations.

SUMMARY OF SUSPENSION

The effect of this action is to permit, until further order, unlimited use and inventory holdings of castor oil and to suspend the requirements for submitting certificates in connection with receipts of castor oil. However, the record-keeping requirements of Defense Food Order 1 are continued in effect.

REGULATORY PROVISIONS

Until further order, the provisions of Sec. 2 *Restrictions on inventory and use of castor oil* and of paragraphs (a), (b), and (c) of Sec. 4 *Records and reports* are hereby suspended.

This suspension order shall become effective on April 1, 1953. With respect to violations, rights accrued, liabilities incurred, or appeals taken with respect to said Defense Food Order 1, as amended, prior to the effective date of the provisions hereof, all provisions of said Defense Food Order 1, as amended, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

NOTE: All reporting and record-keeping requirements of DFO 1, as amended, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 7th day of April 1953.

[SEAL] **HOWARD H. GORDON**,
Administrator, Production and
Marketing Administration.

[F. R. Doc. 53-3209; Filed, Apr. 10, 1953;
11:36 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 890]

WYOMING

PARTIALLY REVOKING PUBLIC LAND ORDER NO. 329 OF OCTOBER 17, 1946, AS MODIFIED

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

Public Land Order No. 329 of October 17, 1946, as modified by Public Land Order No. 382 of July 17, 1947, reserving certain public land in Wyoming for the use of the Bureau of Land Management as an administrative site, is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 47 N., R. 93 W.,

Tract 63 A, lots 1 to 4, inclusive;

Tracts 63 B and 63 C;

Tract 63 D, lot 17 D, lots 31 to 34, inclusive, and lot 52;

Tract 63 E, lots 35 to 40, inclusive;

Tract 63 F, lots 41 to 48, inclusive;

Tract 63 H, lot 49.

The areas described aggregate 160.66 acres.

Lot 15 is embraced within right-of-way for State Secondary Highway as indicated on the plat of survey accepted March 24, 1952, copies of which are on

file and may be viewed at the office of the Manager of the Land and Survey Office, Cheyenne, Wyoming, and the office of the Range Manager of the Bureau of Land Management, Worland, Wyoming.

Lot 49 is chiefly valuable as a cemetery site. It is unlikely that it will be classified for any other disposition, but any application that is filed will be considered on its merits. This tract will not be subject to occupancy or disposition until it has been classified.

This order shall not become effective to change the status of said lot 49 until 10:00 a. m. on the 35th day after the date of this order. At that time the said tract shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans and others entitled to preference under

the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended.

The remaining lands released by this order shall not become subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by the Regional Administrator, Bureau of Land Management, Billings, Montana, opening such lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, with a 91-day preference-right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the said act of September 27, 1944, as amended.

DOUGLAS MCKAY,
Secretary of the Interior.

APRIL 6, 1953.

[F. R. Doc. 53-3131; Filed, April 10, 1953; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 984]

HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

INCREASE IN THE RATE OF ASSESSMENT FOR THE MARKETING YEAR BEGINNING AUGUST 1, 1952

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 105 and Order No. 84 regulating the handling of walnuts grown in California, Oregon, and Washington (7 CFR Part 984), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such administrative rule, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Mar-

keting Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER, except if such tenth day after publication should fall on a Saturday, Sunday, or holiday, such submission may be received by the Director not later than the close of business on the next following work day.

The proposed increase in the rate of assessment from 0.12 cent per pound, as established in the order published in the FEDERAL REGISTER of November 13, 1952 (17 F. R. 10280; § 984.304 (b)), to 0.13 cent per pound of merchantable walnuts handled or certified for handling has been unanimously recommended by the Walnut Control Board, the administrative agency under said agreement and order.

The data available to the Department indicates that the quantity of walnuts certified and to be certified for handling for the marketing year beginning August 1, 1952, will be substantially below the quantity which it was anticipated would be handled or certified for handling dur-

ing the aforesaid marketing year at the time the present rate of assessment was established. As a result of this situation, the proposed increase in the rate of assessment will apparently be necessary to provide sufficient funds to cover the budget of expenses as approved in the aforesaid order (17 F. R. 10280; § 984.304 (a)).

Therefore, it is proposed to amend § 984.304 (b) of the order published in the FEDERAL REGISTER of November 13, 1952, to read as follows:

(b) *Rate of assessment.* Each handler shall pay to the Control Board on demand by the Control Board, from time to time, 0.13 cent for each pound of merchantable walnuts handled or certified for handling by him during the marketing year beginning August 1, 1952.

Done at Washington, D. C., this 7th day of April 1953.

[SEAL]

S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 53-3139; Filed, Apr. 10, 1953; 8:46 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

AGENCIES DEALING WITH THE PUBLIC; OFFICE OF THE CHIEF OF ENGINEERS

Paragraph (h) of section 2, Statement of Organization and Functions, published in 15 F. R. 6173, September 14, 1950, is revised to read as follows:

SEC. 2. *Organization and functions of agencies dealing with the public.* * * *

(h) *Office of the Chief of Engineers—*

(1) *Mission.* To plan, direct, and supervise an engineering construction and real estate service for the Army and the Air Force (including military engineering support), the provision and service of engineer material required by the Army and, assigned, the Navy and the Air Force, and all matters relating to construction, maintenance, and real estate for the control and improvement of

rivers and harbors. With the exception of civil works, the Chief of Engineers carries out his technical staff and service functions in accordance with Department of the Army policy, under the direction and control of the Assistant Chief of Staff, G-4.

(2) *Origin.* (i) On June 16, 1775, the day before the battle of Bunker Hill, a chief engineer and two assistants were provided for "The Grand Army," by a resolution of the Continental Congress. Late in the following year, General

Washington was authorized to raise and organize a Corps of Engineers for a period of six months. Three years later the Congress combined the personnel of this corps with all other Army Engineers and constituted the "Corps of Engineers" as a separate command.

(ii) Subsequent acts and resolutions of the Congress alternately established and disbanded the Corps of Engineers until the act of March 16, 1802. This act authorized the President "to organize and establish a corps of engineers" consisting of seven officers and ten cadets. It provided that this corps "shall be stationed at West Point in the State of New York, and shall constitute a military academy. * * * Since then the Corps of Engineers has been a permanent part of the Army.

(3) *History of military functions.* (1) When the headquarters of the Engineer Department was transferred to Washington in 1818, that Department included the Corps of Engineers, the Military Academy at West Point, and the Topographical Engineers. In 1831 the Topographical Engineers were constituted as a separate bureau and were organized as the Corps of Topographical Engineers by law in 1838. They remained as a separate Corps until the act of March 3, 1863, which merged their functions and personnel into the Corps of Engineers. The Military Academy at West Point remained the responsibility of the Chief of Engineers until 1866 when Congress authorized its transfer to the War Department at large under the direction of the Secretary of War.

(ii) Between 1866 and the present, several important functions to be performed for the Army as a whole were assigned to the Corps of Engineers. The Corps first became responsible for map making in the early part of the nineteenth century when it was charged with topographical and geodetic surveys. In 1917 with the increased use of the observation balloon and development of air warfare, the Corps was made responsible for developing new techniques of camouflage.

(iii) The first statutory addition to the military responsibilities of the Corps of Engineers, after the work of the Topographical Engineers was assigned to the Corps of Engineers, came in 1941. By act of Congress the construction of all War Department installations, the direction of repairs and utilities of these installations, and the acquisition and disposal of all War Department real estate was added to the mission of the Corps of Engineers.

(4) *History of civil functions.* (i) During the early years of the nineteenth century, public improvements were authorized by Congress. The act of April 30, 1824, greatly expanded the number of internal improvements to be undertaken and authorized the Corps of Engineers to be used on that work. A Board of Engineers for Internal Improvements, formed to effectuate this act, immediately started operations. Among the first projects undertaken were the improvement of the navigation of the Ohio and Mississippi Rivers and the continuation of the Cumberland Road. Other smaller roads were

planned and constructed to such an extent that it appeared at first that that activity would become more important than rivers and harbors improvements. However, the latter increased rapidly and Government road construction declined as railroads spread throughout the country.

(ii) From 1831 (when the Topographic Engineers were formed into an independent bureau and the river and harbor work assigned to them) to 1852, the Corps of Engineers had only part of this work to perform. The Topographic Engineers performed most of the work that was done.

(iii) In 1852, a general river and harbor bill authorized large scale improvements and these were divided between the Corps of Engineers and the Topographical Engineers on a geographical basis. The work on the Atlantic and Gulf Coasts was assigned to the Corps of Engineers and that in the northern lakes and western rivers to the Corps of Topographical Engineers. This activity was sustained through 1863, when the work of the Corps was assigned to the Corps of Engineers. The activity was greatly expanded after 1863 and has increased steadily since.

(5) *Legal basis.* (i) The composition of the Corps of Engineers is provided in section 11, National Defense Act, as amended (10 U. S. C. 181, 181a); section 1, act, December 1, 1941 (10 U. S. C. 181b); and section 502 (c) and (d), Officer Personnel Act of 1947 (10 U. S. C., Sup. II, 506 (c) and (d)); and the Army Organization Act of 1950 (Pub. Law 581, 81st Cong.; 64 Stat. 263).

(ii) More than one hundred and twenty separate sections in the U. S. Code charge the Chief of Engineers or the Corps of Engineers or both with certain specific responsibilities having to do with rivers, harbors, dams, bridges, and flood control.

(6) *Dual role of the Chief of Engineers.* The Chief of Engineers is the senior engineer staff officer of the Department of the Army, responsible for furnishing technical advice and recommendations to the Secretary of the Army, the Chief of Staff, and the General and Special Staffs. The Chief of Engineers commands all troops, activities, and installations assigned to his control for the execution of the Engineer mission.

(7) *Major functions.* (i) *Military staff functions.* (a) Prepares the engineer portions of Army plans and assists or advises in such plans of the United States Air Force and other components of the Department of Defense as may be designated.

(b) Develops requirements for engineering personnel, equipment, supplies, and services, and promulgates doctrine, policies, procedures, and regulations governing the acquisition, distribution, maintenance and use thereof so far as authority is delegated in those matters.

(c) Develops regulations pertaining to the organization, equipment, allowances, mobilization, training, assignment, allocation, technical supervision, inspection and technical doctrine for engineer troop units to include coordination with other interested agencies.

(d) Prepares policies, standards and technical procedures for maintenance and repair of buildings, structures, utility plants, and systems and exercises technical staff supervision over operation of repairs and utilities at all Army installations.

(e) Exercises technical staff supervision over the maintenance and repair of engineer equipment at all installations and activities of the Department of the Army and at such other installations of the Department of Defense as may be assigned.

(f) Establishes for the Department of the Army, and such other elements of the Department of Defense as may be designated, criteria and techniques, recommends policies pertaining to: Master planning and construction; acquisition, utilization and disposal of real estate; camouflage of personnel, equipment and installations; military mapping; protective construction; military mining, demolitions, and protective measures against enemy mines; load, speed and spacing regulations on roads and bridges; and rehabilitating and developing industry and natural resources within theaters of operations.

(ii) *Military arm and service function.* (a) *Training.* Trains and furnishes specified engineer troops; establishes, in coordination with using agencies, engineer requirements, organization, equipment, allowances, mobilization, training, assignment, allocation, technical supervision, inspection, and development of technical doctrine for the Army.

(b) *Military construction.* Directs all work pertaining to construction for the Department of the Army (except signal communications) and such work pertaining to construction for the United States Air Force and other elements of the Department of Defense as may be assigned or agreed upon. See 10 U. S. C. 181b.

(c) *Real estate.* Acquires, leases, insures proper utilization thereof, and disposes of real estate. See 10 U. S. C. 181b.

(d) *Equipment, supplies, and materials.* Procures, stores, issues, maintains, transfers, and disposes of equipment, supplies, and materials for which such responsibilities are assigned to the Corps of Engineers.

(e) *Research and development.* Accomplishes research and development, classification as to type, and standardization, where appropriate of equipment, supplies, and materials for which such responsibilities are assigned to the Corps of Engineers.

(f) *Military maps and aerial photographs.* Develops, procures, prepares, produces, reproduces, and distributes military maps and map substitutes and reproduces and distributes aerial photographs required by the Army.

(g) *Intelligence.* In accordance with Department of the Army policies, produces and maintains intelligence concerning foreign engineer research and development, organizations, material, and operations; prepares and maintains Corps of Engineers' sections of the Strategic Vulnerability Surveys and other basic intelligence studies; exercises technical supervision over the collection and

exploitation of engineer intelligence information in theaters of operation.

(h) *Military operations.* (1) Develops and rehabilitates industry, facilities, and natural resources as required within any theater of operations, except where the responsibility is specifically assigned to other agencies.

(2) Accomplishes dispersion, camouflage, black-out, and structural protection at continental Army installations, and at installations of such other elements of the Department of Defense as may be assigned, and at vital manufacturing plants in the zone of interior when so directed by the Secretary of the Army; also furnishes camouflage materials to using services.

(3) Accomplishes the Army responsibilities for military mining, demolition, and protective measures against military mines within any theater of military operations.

(4) Constructs, repairs, maintains, and operates portable and fixed electric power plants, water supply systems, and all other utilities of general service not otherwise assigned, including field water supply and petroleum pipelines.

(5) Constructs, repairs and maintains roads; constructs and performs major rehabilitation and repair of railroads within any theater of military operations.

(6) Provides military bridging and other special equipment, and especially trained personnel for stream crossing operations; provides port and landing facilities and inland waterway facilities for movements by water, including those for landing on hostile shores.

(7) Constructs for the United States Air Force the facilities for which the Corps of Engineers may be assigned the responsibility; removes obstacles and prepares hasty landing fields in enemy territory to facilitate the operation of airborne troops.

(8) Provides personnel and equipment needed in the event of domestic emergencies and disasters as authorized in Army Regulations.

(9) Formulates plans, programs, and policies for industrial mobilization with reference to engineer materiel, supplies, resources, and facilities.

(iii) *Civil works functions.* Plans and directs activities for the fulfillment of civil works responsibilities which include:

(a) *Rivers, harbors, and flood control.* Develops, designs, constructs, maintains, and operates river and harbor and flood control improvements in the United States and its possessions.

(b) *Navigable waters.* Administers laws relating to the protection and preservation of navigable waters.

(c) *Beach erosion.* Develops and recommends projects for Federal cooperation in shore protection and beach erosion measures and develops and constructs shore protection and erosion prevention projects affecting Federal property.

(d) *Commercial statistics.* Collects, compiles, and publishes commercial statistics pertaining to rivers and harbors and to port facilities.

(8) *Organization — (1) Engineer Comptroller.* Advises the Chief of Engineers and provides assistance for the Office of the Chief of Engineers on all budgetary, fiscal, audit, accounting, and management engineering matters and furnishes the Chief of Engineers current information on the progress of Engineer programs.

(a) *Budget.* Exercises supervision over Engineer budgetary matters, including the issuance of budget directives, the screening and consolidation of field estimates and requirements, the review of Engineer programs for budgetary implications, and the maintenance of liaison between the Office of the Chief of Engineers and the Office of the Comptroller of the Army.

(b) *Accounting.* Supervises fiscal, cost, and property accounting in the Corps of Engineers and formulates, develops, and supervises the administration of standards and methods in these fields.

(c) *Funds.* Prepares recommendations for the allocation of funds for submission to the Comptroller of the Army, allots funds received, and certifies fund availability for the Corps of Engineers.

(d) *Audit.* Conducts internal audits of Engineer activities and prescribes policies and procedures for audits performed by field agencies.

(e) *Manpower allocation.* Recommends ceilings by grade for military and civilian personnel and prepares allotments for the Office of the Chief of Engineers and field offices.

(f) *Management.* Provides a management engineering service for the Office of the Chief of Engineers, including the conduct of surveys, the supervision of a progress and performance reporting and evaluation system, the monitoring of regulations, circulars, and other published instructions, and supervision of other aids to management of Engineer activities.

(ii) *Technical Information.* (a) Advises the Chief of Engineers and initiates and administers policies and programs on public information matters.

(b) Collects, prepares, and provides information requested by the public concerning the activities of the Corps of Engineers.

(c) Promotes engineer recruitment for the Army, in cooperation with enlistment activities.

(d) Furnishes consultant and research service on historical and archival matters pertaining to the Corps of Engineers.

(iii) *Legal Division.* (a) Formulates legal policies and procedures involving the interpretation of statutes, regulations, and other directives.

(b) Furnishes legal advice and prepares action on legal matters (except acquisition, lease, or disposal of real estate) such as contracts, claims, appeals, litigation, torts, war fraud cases, tax controversies, labor problems, patents, and contract readjustment.

(iv) *Safety Division.* (a) Develops and implements for the Corps of Engineers, a broad, comprehensive, and effective safety program relating to personal injury, property and equipment damage, occupational health and sanitation, fire

prevention and protection matters (except those relating to repairs and utilities), and design of military construction projects.

(b) Formulates policies and procedures for the application of safety engineering to designs, plans, operating and maintenance processes, and training doctrine.

(c) Performs research to discover causes of accidents, develops prevention techniques and standards, provides technical safety engineering service, and supervises and directs all accident prevention activities within the responsibilities of the Chief of Engineers.

(d) Maintains controls for evaluating progress of the safety program in Corps of Engineers' activities and initiates plans to correct deficiencies in such activities.

(v) *Administrative Service Division.* (a) Obtains, stores, and issues office supplies, furniture equipment, publications, including specifications, and blank forms, and special procurement for field installations.

(b) Assigns for the Office of the Chief of Engineers office, storage, and warehouse space, telephone and other electrical communications, and transportation.

(c) Operates mail and teletypewriter systems and exercises staff supervision over mail-handling procedures and fixed communications systems in Engineer field agencies.

(d) Exercises staff supervision over the use of administrative vehicles, first and second echelon maintenance, and the maintenance of records of the assignment of license plates to vehicles procured with civil funds.

(e) Provides filing, statistical, and electrical accounting machines service for the Office of the Chief of Engineers and provides staff supervision over the distribution and utilization of electric accounting machines throughout the Corps of Engineers.

(f) Provides liaison for the Chief of Engineers with The Adjutant General in administering control programs relating to preparation and procurement of publications, blank forms and printing, duplicating and binding equipment.

(g) Exercises staff supervision over civil works photographic laboratories.

(h) Performs the functions assigned to contracting officer and accountable officer for all property items in the Office of the Chief of Engineers, and conducts conservation program for such items.

(vi) *Engineer Inspector General.* (a) Advises the Chief of Engineers on Inspector General Activities.

(b) Inquires into and reports on matters which affect the efficiency, economy and propriety of Corps of Engineers' operations.

(c) Accomplishes such inspections, surveillance, investigations, surveys, technical review, and studies as prescribed by regulations or as directed by the Chief of Engineers.

(d) Supervises the field offices of the Engineer Inspector General.

(e) Maintains surveillance of the complaint system at installation or activity level. Receives and takes neces-

sary action on complaints received at the office of the Chief of Engineers.

(f) Maintains continuous liaison with The Inspector General, The Inspectors General of the continental army commanders, and with appropriate General and Special Staff sections, and collaborates and cooperates with them in the discharge of the Inspector General functions of the Chief of Engineers.

(g) Performs administrative and technical review of reports of inspections and investigations addressed to or through the Chief of Engineers and recommends appropriate action.

(vii) *Engineer Provost Marshal Division.* (a) Administers, plans, and formulates policies and procedures for all Provost Marshal matters contributing to the successful and safe operation of the Corps of Engineers through the prevention and/or detection of criminal activities, physical security violations and the elimination of physical security hazards.

(b) Renders reports and recommendations on all Provost Marshal and physical security matters.

(c) Exercises staff supervision over Provost Marshal activities of Engineer field agencies, including Provost Marshals of field agencies, military police units and personnel, criminal investigations, apprehension and return of AWOL's and escaped prisoners, stockades and confinement facilities, Provost Marshal budget and fiscal matters, physical security and military police training, civilian guards, control of circulation and identification of personnel, traffic control measures, operation of troops in domestic disasters and disturbance, liaison and cooperation with the Provost Marshal General of the Army and civil law enforcement agencies and coordination of Provost Marshal matters with Engineer staff elements.

(viii) *Assistant Chief of Engineers for Military Supply and Procurement.* (a) Determines the consolidated requirements, administers supply control, and prepares the Engineers section of Department of the Army Catalog for all Engineer equipment and supplies, including spare parts, which are assigned to the Corps of Engineers for procurement, storage, and issue.

(b) Exercises staff supervision over procurement, scheduling of production, receipt, storage, issue, maintenance, transfer, and disposal of Engineer equipment and supplies.

(c) Exercises staff supervision over industrial mobilization and procurement planning.

(d) Develops and supervises procedures for the expeditious handling of aid to foreign governments.

(e) Prepares budget estimates and justifies them before Congressional Committees and the Bureau of the Budget.

(ix) *Maintenance Division.* (a) Develops programs for maintenance of Engineer general and special equipment and spare parts in the Army.

(b) Exercises staff supervision over the techniques of maintenance in Engineer field agencies, such as base maintenance shops and spare parts depots which have maintenance service missions.

(c) Determines and applies assumptions affecting computation and compilation of over-all requirements for all spare parts of Engineers military supply of the Army.

(x) *Procurement Division.* (a) Exercises staff supervision over purchasing and production of materials and equipment for Engineer military supply including lumber and allied products, required by the Department of Defense and other Federal agencies.

(b) Exercises staff supervision over readiness to purchase and over industrial mobilization and procurement planning of the Corps of Engineers.

(c) Develops policies and procedures in regard to inspection activities and exercises staff supervision over Engineering procuring offices conducting inspection of Engineer equipment and material.

(xi) *Storage Division.* (a) Performs staff functions pertaining to Corps of Engineers' supply control and distribution operations.

(b) Reviews procurement directives determining availability of items or suitable substitutes from other technical services.

(c) Coordinates with the Assistant Chief of Engineers for real estate in proposed dismantling operations and in disposal of personal property located at excess and surplus installations, and industrial plants.

(d) Exercises staff supervision over field operations directly relating to the receipt, stock accounting, storage, packing, processing, marking, and shipment of all stock in Engineer storage facilities, including surplus military and nonmilitary stock.

(e) Arranges for acquisition and allocation of storage space, materials handling equipment, and related facilities.

(xii) *Supply Division.* (a) Determines and applies assumptions affecting computation and compilation of over-all requirements for all items of Engineer military supply of the Army.

(b) Prepares, justifies, and monitors the Engineer section of the Department of the Army Program of Procurement.

(c) Performs staff functions pertaining to the preparation of Engineer sections of the Department of the Army Supply Catalog.

(d) Prepares supply control studies; serves as central receiving and distribution point for requisitions, and initiates procurement and supervises issue of all items of Engineer supply, except spare parts.

(e) Establishes nomenclature and stock number for catalog of Engineer supply items, except spare parts.

(f) Performs functions with respect to redistribution, transfer, and disposal of excess Engineer supplies and equipment throughout the Army and the acquisition of excess and surplus property of other Army agencies.

(xiii) *Assistant Chief of Engineers for Military Operations.* (a) Coordinates mobilization planning activities of the Chief of Engineers.

(b) Organizes and trains Engineer troops not assigned to major commands.

(c) Plans and directs the Engineer research and development program.

(d) Directs Engineer military and intelligence activities exclusive of those under the direct control of oversea commanders, including production and distribution of all maps for the Army.

(e) Compiles and disseminates strategic and technical engineering data.

(f) Coordinates Engineer activities except for real estate, construction, and repair and utilities, in oversea operations, including preparation and review of Engineer phases of operational plans and projects and establishment of requirements for class IV engineer materiel and equipment.

(g) Prepares budget estimates and justifies them before the Bureau of the Budget and Congressional Committees.

(xiv) *Engineer Intelligence Division.* (a) Plans procedures in regard to Engineer intelligence and formulates intelligence training programs.

(b) Reviews Engineer intelligence policies.

(c) Coordinates the collection, analysis, and compilation of Engineer information and the dissemination of Engineer intelligence.

(d) Assigns intelligence projects to the Army Map Service, the Beach Erosion Board, the Board of Engineers for Rivers and Harbors, and the U. S. Geological Survey.

(e) Implements general policy, prepares instructions for execution of security program, and acts to prevent and correct violations of security regulations.

(f) Initiates and coordinates mapping projects, plans equipment and methods for the preparation of maps and for the reproduction of maps and charts, and formulates plans and policies for the procurement, distribution, and exchange of maps issued or required by the Army.

(g) Coordinates mapping operations with foreign governments, evaluates foreign mapping equipment and methods, and recommends exploitation of captured mapping material.

(h) Recommends organization, equipment, and functions for photographic, topographic, and mapping organizations.

(i) Arranges for procurement of photography from the Air Force for Corps of Engineers civil work projects.

(xv) *Engineer Organization and Training Division.* (a) Prepares mobilization, peacetime, and oversea troop basis for Engineer units not assigned to major commands, and reviews and coordinates troop basis for all Engineer units.

(b) Furnishes staff supervision for activation, movement, organizing and equipping, and subsequent employment of Engineer units not assigned to major commands.

(c) Collects and maintains data on troop capacity of installations under the Chief of Engineers.

(d) Develops organization structure for Engineer troops, prepares tables of organization and equipment for Engineer service units, where responsibility for preparation has been assigned to the Chief of Engineers and reviews and edits tables of organization and equipment for Engineer units, where responsibility for preparation has been assigned to the Air Force or to the Chief, Army Field Forces.

(e) Prepares tables of distribution for overhead personnel allocated in bulk to the Chief of Engineers.

(f) Controls expenditures of Engineer School and training funds; prepares tables of allowance and reviews special equipment issues for schools and other training facilities under the jurisdiction of the Chief of Engineers; and reviews and edits equipment modification lists for Engineer service units.

(g) Submits to the Engineer Research and Development Division for action qualitative requirements for new or modified materiel necessary for equipping Engineer troops not part of the Army in the field, and provides coordination on items prepared for action by the Corps of Engineers Technical Committee.

(h) Prepares and proposes new or revised military occupational specialties required primarily for Engineer personnel.

(i) Controls and directs individual training of Engineer personnel and Engineer units not assigned to major commands.

(j) Makes technical inspections of Engineer units and installations not assigned to major commands.

(k) Prepares, edits, and reviews all types of Engineer training literature and visual aids.

(l) Plans and supervises matters relating to the Department of the Army Affiliation Program for Engineer Reserve units.

(m) Exercises staff supervision over Engineer Reserve and National Guard units.

(n) Develops, plans, and coordinates through Army Field Forces, the assignment, activation, and training of Engineer Reserve Officers' Training Corps units, and exercises staff supervision over the preparation of programs of instruction and subject schedules for training of these units.

(xvi) *Engineer Research and Development Division.* (a) Plans, coordinates and directs research, engineering, and development work pertaining to research and development responsibilities assigned to the Chief of Engineers.

(b) Exercises staff supervision over the operation of the Department of Defense research laboratory for conducting studies relating to snow, ice, and permafrost.

(c) Coordinates the formulation of military characteristics and the determination of preferred makes and models of Engineer materiel for procurement, and prepares actions for the Corps of Engineers Technical Committee for establishing or terminating development projects, type classification of equipment, and similar matters.

(d) Renders technical consultant service to the Assistant Chief of Engineers for Military Supply and Procurement on materiel under procurement and to the Engineer Organization and Training Division in the establishment of operation and training doctrine.

(e) Coordinates establishment of Engineer nomenclature for items to be adopted and establishes equipment sets.

(f) Supervises determination of methods and preparation of plans, specifications, and instructions for deterioration prevention measures for Engineer materiel, and processing and packing thereof in transit and in storage.

(g) Controls dissemination of Engineer technical information to science and industry.

(xvii) *Assistant Chief of Engineers for Military Construction.* (a) Directs and supervises construction of Department of the Army and Department of the Air Force military facilities including buildings, structures and utilities (except for areas outside of the continental United States, its territories and possessions in which construction responsibility has been retained by the Department of the Air Force or assigned to the major Army commands), and such other special construction and engineering projects of the Department of Defense or other Government agencies as assigned by the Secretary of Defense or the Secretary of the Army.

(b) Provides staff supervision and coordination of Department of the Army repairs and utilities activities as defined in Army Regulations.

(c) Assists the General Staff, Department of the Army, in the development of Department of the Army policies governing installation master planning and military construction, and collaborates in developing the Department of the Army long-range and annual construction programs.

(d) Compiles the Department of the Army annual construction program, initiates requests for authorizing legislation, prepares Department of the Army military construction, repairs and utilities budgets, and presents and defends them before the reviewing committees of the Department of the Army, Department of Defense, Bureau of the Budget, and Congress.

(xviii) *Military Construction Divisions.*

(a) Assists General Staff, Department of the Army, in programming military construction and directs, through division and district engineers, the military construction program for the Department of the Army.

(b) Assists Headquarters, U. S. Air Force in construction programming and directs the execution of Air Force construction through the division and district engineers except in those areas outside the continental United States, its Territories and possessions in which construction responsibility has been retained by the Department of the Air Force.

(c) Furnishes engineering services for military construction performed by the Corps of Engineers.

(d) Furnishes staff supervision for Department of the Army military construction in areas outside the continental United States, its Territories and possessions where construction responsibility has been assigned to the major Army commands.

(e) Directs the controlled materials plan for military construction for the Departments of the Army and Air Force.

(f) Furnishes technical support in the jurisdiction of Army construction pro-

grams, develops military construction programming and planning policy and procedure, and determines construction capabilities of the construction industry and Corps of Engineers.

(g) The Military Construction Divisions are: The Air Force Projects Division; the Army Projects Division; the Engineering Division; the Materials and Contracts Division; and the Program and Planning Division.

(xix) *Air Force Projects Division.* (a) Directs and supervises through the division and district engineers, military construction performed by the Corps of Engineers for the Department of the Air Force.

(b) Assists in development of programs from budgets or directives from the Department of the Air Force.

(xx) *Army Projects Division.* (a) Directs and supervises through the division and the district engineers, military construction for the Department of the Army except in areas outside the continental United States, its Territories and possessions where construction responsibility has been assigned to the major Army commands.

(b) Furnishes staff supervision for the Department of the Army military construction in areas outside the continental United States, its Territories and possessions where construction responsibility has been assigned to the major Army commands.

(xxi) *Engineering Division.* (a) Supervises the technical aspects and furnishes engineering services as required for military construction in the continental United States and overseas, except in occupied areas, for the Departments of the Army and Air Force and for other agencies (such as the Department of the Navy) as may be agreed upon; furnishes engineering instructions for such construction; investigates new methods of design and construction; investigates new construction materials.

(b) Supervises the preparation of cost estimates, plans and specifications, directs and controls engineering studies and criteria for military construction and conducts field inspections to insure compliance therewith.

(xxii) *Materials and Contracts Division.* (a) Manages the operation of the Controlled Materials Plan for military construction for the Army and Air Force.

(b) Locates, procures, and expedites delivery of materials and equipment of all classes and types required by contractors and district engineers in accomplishing construction.

(c) Conceives and develops policies and procedures (except legal provisions) controlling all military constructions contracting, both construction and architect-engineer.

(xxiii) *Program and Planning Division.* (a) Directs and controls Department of the Army military construction program development, justification and adjustment within the responsibilities of the Chief of Engineers.

(b) Develops military program and planning policy and maintains records of, and prepares reports on physical status of current military construction operations.

(c) Determines and assesses construction capabilities for the Corps of Engineers and the construction industry with respect to military construction under the Corps of Engineers.

(xxiv) *Repairs and Utilities Division.*

(a) Exercises staff supervision over maintenance and operations of real property at installations of the Army Field Establishment. In this capacity:

(b) Formulates policies, procedures, and standards pertaining to maintenance of buildings and grounds, utilities, fire prevention; and to related accounting, budgeting, and supply functions and reports.

(c) Conducts staff visits to assure that work is accomplished uniformly in accordance with policies, procedures, and standards.

(d) Conducts studies of materials, methods, and equipment.

(e) Conducts educational and supervisory training.

(f) Makes technical review of projects.

(xxv) *Assistant Chief of Engineers for Real Estate.* (a) Staff supervision over all real estate matters (military and civil) of the Department of the Army.

(b) Planning and scheduling of acquisition of land for military and civil works projects.

(c) Acquisition, by whatever method, of all lands and interests therein.

(d) Granting of leases, licenses, easements, or permits for the occupation and use of Federal property which is under the control of the Department of the Army.

(e) Management and disposal by sale, transfer, or otherwise of all surplus real estate under the control of the Department of the Army.

(f) Classification and inspection of use of Department of the Army real estate and effectuation of maximum utilization thereof.

(g) Settlement of claims arising out of the use and occupancy of real estate by the Department of the Army.

(h) Procurement of exclusive or partial jurisdiction over lands acquired by the Department of the Army.

(i) Preparation of budget estimates and justification before Congressional Committees and the Bureau of the Budget.

(j) Preparation and presentation of testimony before Congressional Committees in connection with the Department of the Army real estate activities.

(k) Maintenance and operation of official records and maps, and reporting systems covering all interests in real property.

(l) Real estate program planning.

(m) Real estate activities for Department of the Air Force and the Atomic Energy Commission as a common service.

(xxvi) *Acquisition Division.* (a) Directs and approves preliminary studies and collects data required to justify acquisition of real estate or interests therein and directs and supervises the acquisition of lands and interests therein by purchase, donation, transfer, permit or license, lease and condemnation.

(b) Directs and supervises acquisition, abandonment, vacation, and relocation of interfering roads and highways, pub-

lic utilities, railroads, and cemeteries by contract or condemnation.

(c) Reviews all applications filed with the Assistant Secretary of the Army for certification of necessity for alterations and rental of leased buildings.

(d) Secures space in Federal office buildings for the Department of the Army.

(e) Directs and exercises staff supervision over all functions concerning reimbursements to landowners and tenants pursuant to section 401 (b), Public Law 534, 82d Congress.

(f) Develops and promulgates policies and procedures for application by engineer field offices and exercises staff supervision over such offices in the acquisition of land or interest therein.

(xxvii) *Management and Disposal Division.* (a) Directs and supervises the permanent disposal of Army real estate.

(b) Directs and supervises the care, custody, and temporary use of excess Army facilities.

(c) Directs and supervises all functions incidental to granting use of active, inactive or stand-by Army facilities.

(d) Formulates and supervises procedures for settling claims arising out of the use and occupancy of real estate and assists the Department of Justice in litigation arising therefrom.

(e) Procures jurisdiction, where required, over Army property.

(f) Directs the inspection of facilities owned or leased by the Army to determine degree of utilization.

(xxviii) *Planning and Control Division.* (a) Exercises staff supervision, develops and promulgates policies and procedures and initiates, directs, and coordinates real estate planning and control operations on a world-wide basis.

(b) Formulates and schedules over-all real estate programs.

(c) Responsible for over-all real estate organization, mobilization and management planning.

(d) Directs establishment of progress reporting systems to provide background for operating policies; directs a program of field inspection, review and analysis to determine the degree of effectiveness and economy with which lower echelons execute the programs and initiates action to correct deficiencies.

(e) Directs the preparation of studies, analyses and reports required by the Congress and other Government agencies.

(f) Directs the development of real estate budget programs, and controls allotment of appropriated funds.

(g) Directs the establishment and maintenance of official administrative, map, and statistical records covering all real estate owned, leased, managed and disposed of.

(xxix) *Assistant Chief of Engineers for Civil Work.* (a) Administers rivers and harbors navigation and flood control projects, including investigations, authorizations, construction, operation, and maintenance of navigation, flood control, multiple-purpose, and hydro-electric power projects.

(b) Procures, assigns, maintains and disposes of plant and equipment.

(c) Interprets and applies laws relating to navigable waters of the United

States and international boundary waters.

(d) Reviews and reports on proposed legislation and appears before Congressional Committees to present testimony.

(e) Prepares budget estimates and justifies estimates before Congressional Committees and Bureau of the Budget.

(f) Issues permits for construction of bridges and other structures in navigable waters.

(g) Prepares and issues regulations governing navigable waters.

(h) Reviews plans, specifications, reports, and estimates pertaining to river and harbor and flood control projects.

(xxx) *Administrative Division.* (a) Provides administrative assistance to the Assistant Chief of Engineers for Civil Works and the civil works divisions.

(b) Assembles and edits manuscripts for publication of the Annual Report of the Chief of Engineers; checks proofs, prepares index and requisitions the printing of the Annual Report; controls the distribution of the Annual Report.

(xxxi) *Engineering Division.* (a) Provides consulting and advisory service to Divisions and Districts on electrical, mechanical, power matters, soil mechanics, structural, hydraulic and general engineering problems.

(b) Establishes design criteria and publishes same in Engineering Manual and Guide Specifications for Civil Works; reviews construction plans and specifications of river and harbor and flood control structures for adequacy and safety of design; and reviews Definite Project Reports.

(c) Coordinates and supervises hydraulic model studies.

(d) Conducts studies of construction costs and establishes procedures and methods for making estimates of cost for civil works projects.

(e) Supervises program for hydro-electric power at Corps of Engineers projects; analyzes allocations of costs as between power and other water utilization; and provides liaison with Federal Power Commission, Bureau of Reclamation and other agencies of the Department of the Interior relative to development for and production of power at Corps of Engineers projects.

(f) Reviews plans and specifications for proper concrete aggregates and placing control.

(g) Reviews electrical and mechanical features of specifications, plans, reports and estimates and supervises inspection during manufacture of electrical and mechanical equipment.

(h) Reviews hydrologic features of plans, specifications, and reports.

(i) Coordinates the plans of Division and District Engineers pertaining to installation and operation of stream gaging stations, precipitation stations, snow courses and laboratories, radio-reporting hydrologic stations and special facilities.

(j) Studies problems related to the measurement of sedimentation in rivers and reservoirs.

(k) Supervises the preparation of storm studies by Division and District Engineers and formulates general program of cooperative studies by Hydro-meteorological Section of Weather Bu-

reau for determination of critical rates of rainfall.

(l) Reviews soil mechanics and related features of plans and specifications and reports to determine adequacy of design of earth dams, levees, foundation stability, of floodwalls, etc.

(m) Investigates and reports on geological suitability of sites for dams, locks, tunnels, powerhouses; reviews geological and related features of plans and specifications and reports of river and harbor and flood control structures; reports on mineral resources affecting economics of projects.

(xxxii) *Operations Division.* (a) Directs construction, maintenance, and operation of all authorized flood control and river and harbor projects.

(b) Administers program for use of management of reservoir areas and facilities for recreational, fish and wildlife, and other purposes for the benefit of the public.

(c) Directs procurement, assignment, and disposal of plant and facilities.

(d) Coordinates flood emergency operations.

(e) Supervises and directs construction of a civil works nature performed for other agencies. Directs special programs as assigned.

(f) Supervises maintenance of Washington Aqueduct.

(g) Determines minimum amounts to be included in budget estimates for maintenance, operation, and construction of projects under way, and supervises allotments and transfer of funds, and establishment and control of reserve funds.

(h) Makes operations review of definite project reports, plans and specifications, change orders, highway and railroad relocation plans and agreements, local cooperation agreements, housing plans, land acquisition plans.

(i) Administers laws and regulations relating to navigable waters and international boundary waters, including establishment of harbor lines, issuance of permits, approval of bridge plans, removal of wrecks and obstructions, pollution abatement, regulation of bridge tolls, establishment and use of danger zones.

(j) Directs program for alteration of railway bridges determined obstructive under Public Law 647, 76th Congress.

(k) Maintains continuous surveillance of organization and methods employed in field operations, with a view to effecting the most effective, efficient and economical methods of field operations.

(l) Determines jurisdictional watershed lines as boundaries of Divisions and Districts.

(xxxiii) *Planning and Development Division.* (a) Directs and supervises programming and planning of all civil works activities of the Corps of Engineers for navigation, flood control, major drainage, prevention of beach erosion, hydroelectric power development and related water uses and problems, including assistance of Division and District Engineers in planning flood control and multiple-purpose projects, from the time of their inception until funds for construction or execution thereof are appropriated by Congress.

(b) Supervises administration and takes action on special civil work projects and problems (e. g., the St. Lawrence Seaway; survey of water resources of Alaska, interstate pollution control, interstate water compact, etc.).

(c) Coordinates, formulates, and disseminates broad policies of the Chief of Engineers for all civil works activities.

(d) Justifies estimates before Bureau of the Budget and Congress.

(e) Reviews and analyzes reports of the Chief of Engineers to Congress on authorized investigations for navigation, flood control, beach erosion and multiple-purpose projects.

(f) Presents testimony and exhibits at hearings before Public Works Committees of Congress for authorization for all civil works projects.

(xxxiv) *Assistant Chief of Engineers for Personnel and Administration.* (a) Exercises staff supervision over and coordination of all matters of personnel administration as executed by lower echelons and furnishes personnel services for the Office of the Chief of Engineers.

(b) Formulates policies for the direction and coordination of civilian and military personnel operations.

(c) Interprets regulations and orders regarding military and civilian personnel.

(d) Conducts staff inspections of personnel policies, and procedures in field installation activities.

(e) Exercises staff supervision and coordination and formulates policies for the direction and coordination of the Engineer Historical Division. In discharging the above responsibilities he supervises the Civilian Personnel Division, the Military Personnel Division and the Engineer Historical Division.

(xxxv) *Civilian Personnel Division.* (a) Is responsible for civilian personnel administration in the Office of the Chief of Engineers and in field agencies of the Corps of Engineers.

(b) Plans personnel programs and formulates and applies procedures and policies within the broad outlines of instructions of higher authority.

(c) Performs civilian mobilization planning for the Chief of Engineers.

(d) Coordinates and directs staff service to field offices and operating service to all elements of the OCE in fields of employee Utilization Salary and Wage Administration, general personnel administration, employee suggestions and awards programs, and promotional activities.

(e) Provides for reports to higher authority as required on specific programs and problems in civilian personnel administration.

(f) Provides for research in the various fields of civilian personnel administration activities and for recommendations to higher authority for legislation, executive orders or regulations as needed.

(xxxvi) *Military Personnel Division.* (a) Determines policies and procedures of the Division and supervises its operations.

(b) Represents the Chief of Engineers in the Career Management Division, The Adjutant General's Office.

(c) Coordinates the procurement, career management, assignment, transfer, detail and separation from the service of officers and warrant officers of the Corps of Engineers under existing policies and directives of higher authority and the Chief of Engineers.

(d) Maintains liaison for the Chief of Engineers with Army-wide agencies on Corps of Engineers officer and warrant officer assignments.

(e) Coordinates Staff level personnel studies on all phases of military personnel planning for the Corps of Engineers.

(f) Makes recommendations to the Chief of Engineers and higher authority on Army-wide military personnel policies and procedures.

(xxxvii) *Engineer Historical Division.* (a) Performs historical projects of the Office of the Chief of Engineers.

(b) Exercises staff supervision over other Engineer historical projects.

(c) Furnishes to Army agencies Engineer historical information in its possession and advises them where to find additional information.

(d) Prepares, when required, the annual report of the military activities of the Corps of Engineers.

(e) Advises the Administrative Service Division of the historical value of records subject to retirement or disposal.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-3148; Filed, Apr. 10, 1953;
8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

APRIL 3, 1953.

Notice is given that the plat of original survey of the following described lands, accepted February 17, 1953, will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

U. S. Survey No. 3159, Small Tract Group, embracing Lots 1 to 13, inclusive, situated on the southwesterly shore Gastineau Channel, Douglas Island, about 2 miles northwest of the westerly end of Juneau-Douglas Bridge, the area containing 23.07 acres. Latitude 58°19'02" N., Longitude 134°28'03" W. at Meander Corner No. 1.

The lands are included in a withdrawal for Small Tracts by Classification Order No. 56 of May 2, 1952.

Anyone having a settlement or other right to any of these lands should assert the same within three months from the date on which the plat is officially filed by filing application under the appropriate public land law, setting forth all facts relative thereto.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the

regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

VIRGIL O. SEISER,
Manager.

[F. R. Doc. 53-3151; Filed, Apr. 10, 1953;
8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MONTANA

DESIGNATION OF DISASTER AREA HAVING NEED FOR AGRICULTURAL CREDIT

Pursuant to the authority contained in section 2, of the act of April 16, 1949 (63 Stat. 44; 12 U. S. C. 1148a-2), to designate areas having a need for agricultural credit, the following designation was made:

MONTANA

Fallon County was designated, on March 7, 1953, as a disaster area due to adverse weather conditions. After December 31, 1953, disaster loans will not be made except to borrowers who previously received such assistance.

Done at Washington, D. C., this 8th day of April 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3140; Filed, Apr. 10, 1953;
8:47 a. m.]

NEBRASKA

SALE OF MINERAL INTERESTS; REVISED AREA DESIGNATION

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's Order dated June 26, 1951 (16 F. R. 6318), are amended as follows:

In Schedule A, under Nebraska, in alphabetical order, add the county "Howard."

In Schedule B, under Nebraska, delete the county "Howard."

(Sec. 3, Public Law 760, 81st Congress)

Done at Washington, D. C., this 9th day of April 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3178; Filed, Apr. 9, 1953;
4:54 p. m.]

Production and Marketing Administration

DIRECTOR OF LIVESTOCK BRANCH

AMENDMENT TO DELEGATION OF AUTHORITY WITH RESPECT TO SIGNING CERTIFICATES

The delegation of authority to the Director of the Livestock Branch with respect to signing certificates on practical forms of United States standards for wool and wool top, dated March 6, 1946 (11 F. R. 2386), is amended to read as follows:

Pursuant to the authority vested in the Administrator by the regulations (7

CFR 31.51, 31.151, as amended) for distribution of practical forms of wool standards and of wool top standards, authority is delegated to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, to sign certificates of practical forms of the official standards of the United States for grades of wool and of wool tops issued under the acts of August 11, 1916, February 23, 1923, May 17, 1928, and September 21, 1944 (sec. 19, 39 Stat. 489; sec. 19, 42 Stat. 1284; secs. 1, 2, 3, 45 Stat. 593, 594; sec. 401 (a), 58 Stat. 738; 7 U. S. C. 257, 415b-415e).

The Director of the Livestock Branch, in his discretion, may redelegate the authority granted herein to any employee under his supervision.

Done at Washington, D. C., this 7th day of April 1953.

[SEAL] HOWARD H. GORDON,
Administrator, Production and
Marketing Administration.

[F. R. Doc. 53-3138; Filed, Apr. 10, 1953;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6441]

CONSOLIDATED GAS ELECTRIC LIGHT AND
POWER CO. OF BALTIMORE AND PENNSYLVANIA
WATER & POWER CO.

NOTICE OF CONTINUANCE OF HEARING

APRIL 7, 1953.

In the matter of Consolidated Gas Electric Light and Power Company of Baltimore vs. Pennsylvania Water & Power Company, Docket No. E-6441.

Notice is hereby given that the hearing in the above-entitled matter now scheduled for April 14, 1953, is continued to May 14, 1953, at 10:00 a. m., 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3141; Filed, Apr. 10, 1953;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1497]

CHARLES PFIZER & Co., Inc.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1953.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of Charles Pfizer & Co., Inc., a security registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already

[File No. 70-3031]

GENERAL PUBLIC UTILITIES CORP.

NOTICE OF PROPOSED CAPITAL CONTRIBUTIONS BY HOLDING COMPANY TO SUBSIDIARY

APRIL 7, 1953.

admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to April 27, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3133; Filed, Apr. 10, 1953;
8:45 a. m.]

[7-1509, 7-1510]

COASTAL CARIBBEAN OILS, INC., AND
PANCOASTAL PETROLEUM CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1953.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Voting Trust Certificates for Common Capital Stock, 10¢ Par Value, of Coastal Caribbean Oils, Inc.; and the Voting Trust Certificates for Common Capital Stock, 2 Bolivars Par Value, of Pancoastal Petroleum Company.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 1, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3134; Filed, Apr. 10, 1953;
8:45 a. m.]

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), particularly section 12 (b) thereof and Rule U-45, proposing, that GPU make capital contributions, from time to time, but not later than December 31, 1953, in the aggregate amount of \$675,000, to its subsidiary, Northern Pennsylvania Power Company ("North Penn"), all of whose common stock is owned by GPU. The proposed capital contributions, which are to be credited to the stated capital applicable to North Penn's common stock, will be used by North Penn to finance construction or to reimburse its treasury for expenditures therefrom for construction purposes or to repay bank loans effected for such purpose.

The filing states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction and that fees and expenses of GPU in connection with the proposed transaction, including legal fees, are estimated not to exceed \$300. It requests that the declaration become effective upon issuance.

Notice is further given that any interested person may, not later than April 20, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3135; Filed, Apr. 10, 1953;
8:46 a. m.]

[File No. 70-3033]

ALABAMA POWER CO.

NOTICE OF FILING REGARDING SALE OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING

APRIL 7, 1953.

Notice is hereby given that an application has been filed with this Commission by Alabama Power Company ("Ala-

bama"), a public-utility subsidiary of The Southern Company ("Southern"), a registered holding company. The applicant has designated section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Alabama proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$18,000,000 principal amount of First Mortgage Bonds, ---- Percent Series due 1983, to be issued under and secured by Alabama's present Indenture, dated as of January 1, 1942, last supplemented on April 1, 1952, and to be further supplemented by a proposed Supplemental Indenture to be dated as of May 1, 1953. The interest rate for the proposed bonds and the price to be paid the company therefor will be determined by competitive bidding. The invitation for bids for the bonds will specify that the price to the company shall be not less than 100 percent nor more than 102.75 percent of the principal amount.

Alabama proposes to use the proceeds from the sale of the proposed bonds to provide a portion of the funds required to finance its current construction program. Alabama estimates that its construction expenditures for the years 1953 and 1954 will require \$81,950,000. It is stated in the application that Alabama will finance such construction program by using cash derived from operations, from the sale of the proposed bonds, from the sale to Southern of 60,000 shares of its common stock for \$6,000,000, and from the sale of \$27,500,000 of additional securities of a type and in an amount not yet determined.

The filing states that the issuance and sale of the proposed bonds are subject to the jurisdiction of the Alabama Public Service Commission, the State commission of the State in which Alabama is organized and doing business.

Applicant requests that this Commission's order to be entered herein become effective forthwith upon its issuance.

Notice is further given that any interested person may, not later than April 28, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 28, 1953, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3136; Filed, Apr. 10, 1953;
8:46 a. m.]